of the fire is reported to be a spark from an oven. There was no loss of human life. The fire that broke out on the 20th July 1958 was at about 13-20 hours. Standing crops over an area of 20 acres was involved. The fire units of Villupuram and Chingleput tackled the fire and it was completely put out in 20 minutes. The value of the property damaged was Rs. 1,500. The cause of the fire is reported to be the careless disposal of a lighted cigar. There was no casualty in the fire accident. The third fire that occurred was on 23rd July 1958 at 12-42 hours, in which four thatched dwelling houses with household articles were involved. The fire units of Villupuram were turned out and the fire was completely extinguished within one hour. The actual damage was estimated at Rs. 200. The cause of the fire is reported to be a spark from an oven. There was no casualty.

In 1944, when the question of retention of A.R.P. equipment on a peace-time basis was considered, it was approved in principle that the fire service should be organized in the then 60 Municipal towns of the composite Madras State. Tindivanam Municipality was not one of the places included in the above list. Subsequently in 1954, the Inspector-General of Police, Fire Service Branch, drew up a list of places in which fire stations had to be opened including Tindivanam and Tindivanam was given the eighth place in that priority list. As the above scheme was drawn up a long time ago and as many other municipalities have come into being since then a revised priority list in the matter of opening new fire stations in the State has been drawn up in July 1958 in consultation with the Inspector-General of Police (Fire Service Branch), taking into account the various aspects, such as the importance of the town, its population, industrial and other fire risks in and around the town, water sources available, the needs of the municipalities concerned, etc. According to the revised priority list, Tindivanam Municipal Town has been given the fourth place in the order of priority.

Proposals have since been received from the Inspector-General of Police, Fire Service Branch, for establishing new fire stations in the first four places in the order of priority including Tindivanam for consideration as Part II Scheme for 1959–60. The proposals are under consideration.

IV.—GOVERNMENT RESOLUTION.

AMENDMENT TO THE ESTATE DUTY ACT, 1953 (34 OF 1953).

* THE HON. SRI M. A. MANICKAVELU : Mr. Speaker, Sir, I move that—

"Whereas by resolutions passed in pursuance of Article 252 of the Constitution, the levy of estate duty in respect of agricultural land in the State of Madras is governed by the Estate Duty Ac, 1953 (34 of 1953) passed by Parliament;

1st November 1958] [Sri M. A. Manickavelu]

And whereas the Estate Duty Act, 1953 (34 of 1953) has been amended by Act 17 of 1954, Act 41 of 1954, Act 36 of 1957 and Act 33 of 1958 passed by Parliament;

And whereas it appears to this Assembly to be desirable that the matters specified in the amending Acts aforesaid in so far as they relate to estate duty in respect of agricultural land should be regulated, in the State by Parliament by law;

Now, therefore, this Assemlby hereby resolves in pursuance of Article 252 of the Constitution that the matters aforesaid in so far as they are matters with respect to which Parliament has no power to make laws for the State may be regulated in the State by Parliament by law and for this purpose the Estate Duty Act, 1953 (34 of 1953) may be amended accordingly ".

Estate duty is a levy on the principal value of all property settled or not settled, which passes on the death of a person to his heirs or successors-in-law. Under Article 269 of the Constitution of India, Estate duty in respect of property other than agricultural land has to be levied and collected by the Government of India and assigned to the States. Under item 48 of List II in the Seventh Schedule to the Constitution, the State Legislature has got the power to legislate in regard to estate duty in respect of agricultural land. Under Article 252 of the Constitution, if it appears to the Legislatures of two or more States to be desirable that any of the matters with respect to which Parliament has no power to make laws for the States except as provided in Articles 249 and 250 should be regulated in such States by Parliament by law, and if resolutions to that effect are passed by all the Houses of the Legislatures of those States, it shall be lawful for Parliament to pass an Act for regulating the matter accordingly and any Act so passed shall apply to such States and to any other State by which it is adopted afterwards by resolutions passed in that behalf by the House or where there are two Houses by each of the Houses of the Legislature of that State.

The Parliament passed the Estate Duty Act in 1953 providing for the levy of estate duty on property including agricultural land. The Madras Legislative Council and the Assembly passed resolutions on 21st February and 2nd April 1955, respectively adopting the Estate Duty Act, 1953, in respect of estate duty on agricultural land situated in this State.

After the Estate Duty Act was passed in 1953 certain minor amendments have been carried out by Act 17 of 1954, Act 41 of 1954 and Act 36 of 1957. Act 17 of 1954 introduced sub-section (3) to section 3 of the principal Act by way of classification and made a minor change in clauses (*f*) and (*g*) of sub-section (1) of section 33 of the Act. Act 41 of 1954 extended the principal Act to Jammu and Kashmir and Act 36 of 1957 merely corrected a printing error.

[Sri M. A. Manickavelu] [1st November 1958

With a view to tighten up the provisions of the Estate Duty Act, 1953, the Government of India have now passed the Estate Duty (Amendment) Act, 1958. The Amendment Act among other things provides for the following :—

(i) lowers the present exemption limit in case of property other than an interest in the property of joint family governed by Mitakshara, Marumakkattayam or Aliyasantana law, from Rs. one lakhs to Rs. 50,000;

(ii) changes the basis on which the rate of duty is charged in the case of coparcenary interest of a deceased who was governed by Mitakashara, Marumakkattayam or Aliyasantana law;

(iii) reduces the allowance for probate duty from 100 per cent to 50 per cent of the duty;

(iv) makes certain changes in the assessment and appellate procedures so as to bring them in line with the other direct taxation Acts.

Provision has also been made in the Act to enable the Government of India to bring the Act into force on a suitable date after the State Legislatures pass the necessary resolutions required under Article 252 of the Constitution.

The Government of India have pointed out in this connection that the benefit of the additional revenue which will be realised on account of the changes effected by the amending Act will accrue entirely to the States and have requested this Government to move the necessary resolutions before the Legislature.

This State has already committed itself to this taxation by passing a resolution in the year 1955. Now this resolution is necessary because certain amendments have subsequently been made to the Acts passed by Parliament. The resolution is proposed in order to enable Parliament to make the necessary provisions in their Act.

MR. SPEAKER : Motion moved—

" Whereas by resolutions passed in pursuance of Article 252 of the Constitution, the levy of estate duty in respect of agricultural land in the State of Madras is governed by the Estate Duty Act, 1953 (34 of 1953) passed by Parliament ".

And whereas the Estate Duty Act, 1953 (34 of 1953) has been amended by Act 17 of 1954, Act 41 of 1954, Act 36 of 1957 and Act 33 of 1958 passed by Parliament;

And whereas it appears to this Assembly to be desirable that the matters specified in the amending Acts aforesaid in so far as they relate to estate duty in respect of agricultural land should be regulated, in the State by Parliament by law;

1st November 1958] [Mr. Speaker]

Now, therefore, this Assembly hereby resolves in pursuance of Article 252 of the Constitution that the matters aforesaid in so far as they are matters with respect to which Parliament has no power to make laws for the State may be regulated in the State by Parliament by law and for this purpose the Estate Duty Act 1953 (34 of 1953), may be amended accordingly ".

SRI V. K. RAMASWAMY MUDALIYAR : Mr. Spetker, Sir, I would request that a copy of the statement made by the Hon. Minister in introducing this Resolution may be circulated to hon. Members of this House. We have all been taken by surprise and we do not know what exactly the amendments are. If a copy of the statement read out by the Hon. Minister is supplied to us, we would get some details about the proposed Resolution. I would therefore request you to circulate a copy of the Statement and also to take up Resolution for discussion on Monday.

MR. SPEAKER : I have no objection if the Hon. Minister will agree to the proposal. The suggestion made by the hon. the Leader of the Opposition is I think that the resolution might be taken up as the first item after questions on Monday.

THE HON. SRI M. A. MANICKAVELU : If it is the desire of the House that the resolution should be taken up on Monday, I have no objection. I thought that being a simple and formal resolution, this could be disposed of to-day.

MR. SPEAKER : I think the Hon. Minister has agreed to the suggestion of the hon. the Leader of the Opposition. A copy of the statement will be circulated and the resolution taken up as the first item after questions on Monday, the 3rd November.

* SRI R. SRINIVASA IYER : Sir, his resolution relates to Estate Duty leviable on agricultural property in this State. How many people are likely to be affected by that duty and what is the additional revenue that is likely to be derived by this levy by the Central Government from the agriculturist of this State and what proportion of it will be given to this State and such other information should be given to us. Otherwise we will not be able to understand the scope of the resolution. I would therefore request the Hon. Minister to give information . . .

MR. SPEAKER : That would not be correct. The hon. Member may raise all these points when he speaks on the resolution and the Hon. Minister will answer them in the course of his reply. It is not correct now to anticipate what all the hon. Member may want or others may want. The whole discussion on the resolution is postponed to Monday, 3rd November 1958. The hon. Member may speak on the Resolution on Monday and the Minister will reply to all his points then.